

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: A. BELYAKOV et al.) Examiner: Not Yet Assigned
Serial 10/599,055)
No.:) Art Unit: 2182
Filed: September 18, 2006)
For: FAILOVER AND LOAD BALANCING)

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to the U.S. Patent and Trademark Office on November 3, 2008.

/Janaki K. Davda/

Janaki K. Davda Reg. No. 40,684

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find the applicants list of references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- The specification incorporates comments on the relevancy of Non-English language references.
- Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

- B. The information disclosure statement submitted herewith is being filed
- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);
 - 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
 - 3) before the mailing date of a first Office Action on the merits; or
 - 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.
- C. The information disclosure statement transmitted herewith is being filed after the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:
- 1) a Statement under 1.97(e); or
 - 2) a fee of \$180 as set forth in 1.17(p).
- D. The information disclosure statement transmitted herewith is being filed after the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:
- 1) a Statement under 1.97(e); and
 - 2) a fee of \$180 as set forth in 1.17(p).

STATEMENT UNDER 1.97(e)

I, the person signing below, certify

- that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

- that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph C or D supra, please charge to Deposit Account No. 50-4238 the amount of \$180 as set forth in 1.17(p). Additionally, please charge any insufficiency or credit any overpayment to Deposit Account No. 50-4238.

Respectfully Submitted,

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Dated: November 3, 2008